



AMENDMENT TRANSMITTAL LETTER			DOCKET NUMBER: 66654-010 (P-LJ 4868)	
SERIAL NO: 09/955,526	FILING DATE: September 12, 2001	EXAMINER: Cynthia Collins	GROUP ART UNIT: 1638	
INVENTION: PLANT CYTOPROTECTIVE GENES AND METHODS OF USING SAME				

TO COMMISSIONER FOR PATENTS

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"EXPRESS MAIL" MAILING LABEL NUMBER: EK 848917751 US

DATE OF DEPOSIT: March 10, 2003

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE
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37 C.F.R. 1.10 ON THE DATE INDICATED ABOVE, AND IS
ADDRESSED TO: COMMISSIONER FOR PATENTS WASHINGTON, D.C. 202

Alexis Broncatello
(TYPED OR PRINTED NAME OF PERSON MAILING PAPER OR FEE)
Alexis Broncatello
(SIGNATURE OF PERSON MAILING PAPER OR FEE)

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Transmitted herewith is a Response to the Restriction Requirement mailed February 10, 2003, in the above-identified application.

- ☒ Small Entity status of this application has been established under 37 CFR 1.27.
- ☐ Petition for Extension of Time is enclosed (in duplicate).
- ☐ Terminal Disclaimer with fee under 37 C.F.R. 1.20(d) is enclosed.
- ☒ No additional claims fee is required.
- ☐ An additional claims fee is required and has been calculated as shown below:

CLAIMS AS AMENDED

	NUMBER AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		NUMBER OF EXTRA CLAIMS PRESENTED		RATE			FEE	
							SMALL ENTITY	OTHER ENTITY		SMALL ENTITY	OTHER ENTITY
TOTAL CLAIMS	25	-	46	-	0	x	\$9	\$18	=	\$0.00	\$
INDEPENDENT CLAIMS	6	-	10	-	0	x	\$42	\$84	=	\$0.00	\$
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM			YES		XX NO		\$140	\$280	=	\$0.00	\$
							TOTAL ADDITIONAL FEE			\$0.00	\$

* If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 20, write "20" in this space.

** If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 3, write "3" in this space.

*** If the difference between the "NUMBER AFTER AMENDMENT" and the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 0, write "0" in the space.

☐ Please charge my Deposit Account No. 502203 the amount of \$_____. A duplicate copy of this sheet is enclosed.

Inventors: John C. Reed
Serial No.: 09/955,526
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— A check in the amount of \$ is enclosed, \$ of which
covers the fee for a -month extension of time.

X The Commissioner is hereby authorized to charge payment of
any fees associated with this communication or credit any
overpayment to Deposit Account No. 502203. A duplicate copy
of this sheet is enclosed.

X The Commissioner is hereby authorized to charge to Deposit
Account No. 502203 any fees under 37 CFR 1.17 which may be
required under 37 CFR 1.136(a)(3) for an extension of time
in any concurrent or future reply requiring a petition for
extension of time. A duplicate copy of this sheet is
enclosed.

Respectfully submitted,

Pamela M. Guy
Pamela M. Guy
Registration No. 51,228
MCDERMOTT, WILL & EMERY
4370 La Jolla Village Drive
7th Floor
San Diego, California 92122
858-535-9001



PATENT

Our Docket: 66654-010 (P-LJ 4868)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
John C. Reed

Serial No: 09/955,526

Filed: September 12, 2001

For: PLANT CYTOPROTECTIVE
GENES AND METHODS OF
USING SAME

Commissioner for Patents
Washington, D.C. 20231

) Group Art Unit: 1638
) Examiner: Cynthia Collins
)

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) Alexis Broncatello
(TYPED OR PRINTED NAME OF PERSON MAILING PAPER OR FEE)

) Alexis Broncatello
(SIGNATURE OF PERSON MAILING PAPER OR FEE)

RESPONSE TO THE RESTRICTION REQUIREMENT

Responsive to the Office Action mailed
February 10, 2003, consideration of the following remarks is
respectfully requested.

AMENDMENTS

Please cancel claims 1 to 21 without prejudice to
Applicant pursuing these claims in one or more applications that
claim the benefit of priority of the subject application.

REMARKS

Claims 1 to 46 are pending. The Examiner alleges that
the claims are directed to four distinct and independent
inventions set forth as Groups I to IV as follows:

#8
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